

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

**RECEIVED**

MAY 30 2007

Illinois Commerce Commission  
RAIL SAFETY SECTION

Union Pacific Railroad Company ("Company), the City of )  
Auburn ("City"), and the State of Illinois, Department of )  
Transportation ("Department" or "IDOT") )  
)  
Stipulated Agreement regarding improving public ) T06-0038  
safety at the Divernon Road (FAS 625) highway-rail grade )  
crossing of the Company's track in Auburn, in Sangamon )  
County, Illinois, designated as crossing AAR/DOT )  
#294 354F, railroad milepost 202.30 SSWNAO )

**SUPPLEMENTAL PETITION**

Union Pacific Railroad Company hereby moves the Commission for an extension of time to and including June 24, 2007 within which to complete the grade crossing improvements at the highway-rail grade crossing of Divernon Road (FAS 625) (railroad milepost 202.30) and Union Pacific tracks as set forth in the Stipulated Agreement No. 1142. Said motion is based on the following grounds:

1. The above project involves addition of gates and upgrades to circuits and signals at an existing flashing light signal at the Divernon Road grade crossing Auburn, Illinois. The work was being done under Stipulated Agreement 1142 approved by the Commission Order of June 7, 2006. Under that Order, the work was to be completed by June 7, 2007.
2. The signal work was completed by the signal gang on May 24, 2007 with the exception of the installation of two insulated joints needed to perform the final cutover.
3. The two insulated joints could only be installed by a track gang which was scheduled to perform that work during the week of May 28, 2007. However, the gang was

unexpectedly delayed on another project due to weather and due to manpower shortage caused by flooding in other parts of the Midwest and cannot get to the Divernon Road crossing until the week of June 4, 2007. Rather than stand idle during the interim, the signal gang had to be pulled off the Divernon Road project for other work and cannot return until June 12, 2007. See Affidavit of John Freise attached hereto.

4. The cutover and testing should take no more than two to three days to complete with an expected completion date of June 23, 2007.

5. This information was not known in time to request the extension within 14 days of the June 7, 2007 deadline.

6. The existing signals will remain in operation until the cutover is completed.

7. Union Pacific believes that it can complete the above project no later than June 24, 2007 and as such, requests a 17 day extension within which to complete the work.

WHEREFORE, Union Pacific Railroad Company requests that the Commission grant an extension of time to and including June 24, 2007 within which to complete the work

UNION PACIFIC RAILROAD COMPANY

BY: 

Roy P. Farwell  
100 North Broadway, Suite 1500  
St. Louis, MO 63102  
Telephone: (314) 331-0566  
Facsimile: (314) 331-0564

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 30<sup>th</sup> day of May, 2007 to:

Ms. Gale Pruett  
City Clerk  
City of Auburn  
324 West Jefferson  
Auburn, IL 62615

The Honorable Joseph Powell  
Mayor, City of Auburn  
324 West Jefferson  
Auburn, IL 62615

Ms. Ellen Schanzle-Haskins  
Chief Counsel  
Illinois Department of  
Transportation  
2300 South Dirksen Parkway  
Room 300  
Springfield, IL 62764

Mr. Jeff Harpring  
Illinois Department of  
Transportation  
2300 South Dirksen Parkway  
Room 205  
Springfield, IL 62764



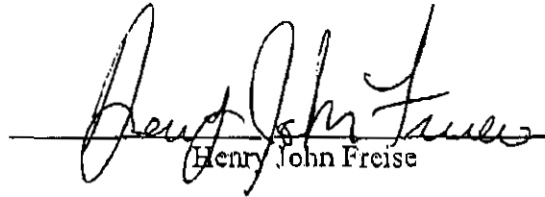
STATE OF MISSOURI     )  
                                  ) SS  
CITY OF ST. LOUIS     )

**AFFIDAVIT OF HENRY JOHN FREISE**

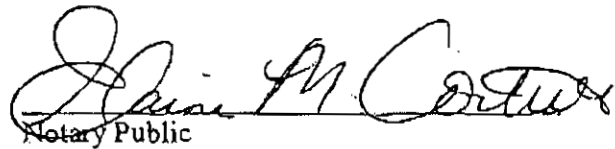
COMES NOW Henry John Freise, and being duly sworn, upon his oath, states:

1. I am employed by Union Pacific Railroad Company as Project Coordinator 1 which includes responsibility for coordinating projects between the Railroad and public bodies with respect to highway-railroad grade crossings for Union Pacific Railroad Company in the southern portion of Illinois.
2. I am familiar with the Commission's proceeding in Case Number T06-0038 concerning work to be performed at or near Auburn, Sangamon County, Illinois and the tracks of the Union Pacific Railroad Company, which project is within my responsibility.
3. The project was originally to be completed on or before June 7, 2007. Union Pacific attempted to complete the matter by the specified deadline. However, while the signal work was completed by the signal gang on May 24, 2007, installation of two insulated joints was needed to perform the final cutover.
4. The two insulated joints could only be installed by a track gang which was scheduled to perform that work during the week of May 28, 2007. However, the gang was unexpectedly delayed on another project due to weather and due to manpower shortage caused by flooding in other parts of the Midwest and cannot get to the Divernon Road crossing until the week of June 4, 2007. Rather than stand idle during the interim, the signal gang had to be pulled off the Divernon Road project for other work and cannot return until June 12, 2007. The cutover and testing should take no more than two to three days to complete with an expected completion date of June 23, 2007.

5. As a result of the above, I believe an extension of time to June 24, 2007 to perform the work specified in the Commission's Order of June 7, 2006 is justified.

  
Henry John Freise

Subscribed and sworn to before me this 30th day of May, 2007.

  
Notary Public

My Commission Expires: 1/30/10

